

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

TASER INTERNATIONAL, INC., <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Case No.: 1:10-CV-03108-JOF
	)	
v.	)	[On removal from the State
	)	Court of Fulton County,
MORGAN STANLEY & CO., INC., <i>et al.</i> ,	)	Georgia Case No.:
	)	2008-EV-004739-B]
Defendants.	)	
	)	
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**STIPULATION BETWEEN PLAINTIFFS AND MERRILL LYNCH  
REGARDING PRODUCTION OF “SAGE” DATA**

Plaintiffs and Defendant Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill Lynch”) hereby stipulate as follows:

On October 26, 2010, Merrill Lynch informed Plaintiffs that it is in the process of restoring certain trading data from its SAGE affiliate covering the period April 2004 through May 2005. ML will agree to produce SAGE trade blotters<sup>1</sup> and stock records reflecting trading in TASER securities or options (including, if available, conversions, reverse conversions and flex options) on or before November 12, 2010 on the condition that (i) Plaintiffs agree not to seek

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<sup>1</sup> Merrill Lynch represents to Plaintiffs that the trade blotters will include the columns identified in Brad Elias’s October 27, 2010 3:32 PM email to Steven Rosenwasser.

sanctions, attorneys' fees, costs, or other relief in connection with the production, provided, however, that Plaintiffs may seek a discovery extension (but not attorneys' fees or costs incurred in bringing such a motion) based on the fact that the documents were not produced at an earlier date; and (ii) Plaintiffs agree that by producing these records Merrill Lynch does not concede that SAGE is subject to general discovery or that its conduct is relevant to this action.

Jointly submitted this 4th day of November, 2010.

/s/ John E. Floyd

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JOHN E. FLOYD

Georgia Bar No. 266413

Email: floyd@bmelaw.com

STEVEN J. ROSENWASSER

Georgia Bar No. 614908

Email: rosenwasser@bmelaw.com

NICOLE G. IANNARONE

Georgia Bar No. 382510

Email: iannarone@bmelaw.com

BONDURANT, MIXSON &  
ELMORE LLP

3900 One Atlantic Center

1201 West Peachtree Street, N.W.

Atlanta, GA 30309

Tel.: 404-881-4100

Fax: 404-881-4111

*Attorneys for Plaintiffs*

/s/ Richard H. Sinkfield

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RICHARD H. SINKFIELD

Georgia Bar No. 649100

E-mail: rsinkfield@rh-law.com

DAN F. LANEY III

Georgia Bar No. 435290

E-mail: dlaney@rh-law.com

ROGERS & HARDIN LLP

229 Peachtree Street, N.E.

2700 International Tower

Atlanta, Georgia 30303

Tel.: 404-522-4700

Fax: 404-525-2224

*Attorneys for Defendant Merrill  
Lynch, Pierce, Fenner & Smith  
Incorporated*

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TASER INTERNATIONAL, INC.,  
*et al.*

Plaintiffs,

v.

MORGAN STANLEY & CO., INC.,  
*et al.*

Defendants.

CIVIL ACTION NUMBER:  
1:10-CV-03108-JOF

**CERTIFICATE OF SERVICE**

I hereby certify that on November 4, 2010, I caused a copy of the foregoing STIPULATION to be filed with the Clerk of Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

John E. Floyd, Esq.  
floyd@bmelaw.com

Steven J. Rosenwasser, Esq.  
rosenwasser@bmelaw.com

Nicole G. Iannarone  
iannarone@bmelaw.com

Elizabeth G. Eager  
eager@bmelaw.com

Michael A. Caplan  
caplan@bmelaw.com

Robert L. Ashe, III  
ashe@bmelaw.com

and that I have caused a copy to be served by U.S. Mail on the following attorneys  
of record:

James W. Christian, Esq.  
CHRISTIAN, SMITH & JEWELL LLP  
2302 Fannin, Suite 500  
Houston, TX 77002

Robert F. Wise, Jr., Esq.  
William J. Fenrich, Esq.  
Melissa Aoyagi, Esq.  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, NY 10017

Richard H. Klapper, Esq.  
Richard C. Pepperman, II, Esq.  
Tracy Richelle High, Esq.  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, NY 10004-2498

Stephen L. Ratner, Esq.  
Brian L. Friedman, Esq.  
PROSKAUER ROSE LLP  
1585 Broadway  
New York, NY 10036

Gregory A. Markel, Esq.  
Martin L. Seidel, Esq.  
Peter J. Isajiw, Esq.  
Heather L. Fesnak, Esq.  
CADWALADER, WICKERSHAM & TAFT LLP  
One World Financial Center  
New York, NY 10281

Fraser L. Hunter, Jr., Esq.  
WILMER CUTLER PICKERING HALE AND  
DORR LLP  
399 Park Avenue  
New York, NY 10022

Andrew J. Frackman, Esq.  
O'MELVENY & MYERS LLP  
Times Square Tower  
7 Times Square  
New York, NY 10036

Andrew B. Clubok, Esq.  
Jeffrey G. Landis, Esq.  
Jeffrey M. Gould, Esq.  
KIRKLAND & ELLIS LLP  
655 Fifteenth Street, N.W.  
Washington, DC 20005

/s/ James W. Cobb

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James W. Cobb  
Georgia Bar No. 649100  
rsinkfield@rh-law.com